

Service Area Plan

Department Of Conservation And Recreation

Statewide Agricultural and Urban Nonpoint Source Water Quality Improvements (50301)

Service Area Background Information

Service Area Description

To improve the quality of Virginia's surface and groundwaters, including the Chesapeake Bay, by reducing nonpoint source pollution from agricultural, urban, and other land uses using voluntary and regulatory based measures, innovative reduction programs, constituent outreach and education, and sound land use management.

Service Area Alignment to Mission

Supports the agency mission by conserving, protecting, and enhancing water quality, and promoting stewardship of the natural resources.

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Service Area Statutory Authority

- The overarching authority may be found in Section 1 of Article XI of the Virginia Constitution that reads: "To the end that the people have clean air, pure water, and the use and enjoyment for recreation of adequate public lands, waters, and other natural resources, it shall be the policy of the Commonwealth to conserve, develop, and utilize its natural resources, its public lands, and its historical sites and buildings. Further, it shall be the Commonwealth's policy to protect its atmosphere, lands, and waters from pollution, impairment, or destruction, for the benefit, enjoyment, and general welfare of the people of the Commonwealth."
- The Department is charged with the responsibility for the Commonwealth's nonpoint source pollution management program including administration of certain state and federal laws including §319 of the federal Clean Water Act (33 USC §1251 et seq.) and §6217 of the federal Coastal Zone Management Act (16 USC §1451 et seq.). The department is also responsible for operation of a voluntary nutrient management training and certification program and for the promulgation of program regulations, including the criteria for the development of nutrient management plans for various agricultural and urban agronomic practices. The Department is required to develop written procedures for the development, submission, and the implementation of a nutrient management plan or planning standards and specifications that shall be provided to all state agencies, state colleges and universities, and other state governmental entities that own land upon which nutrients are applied. The Department is also authorized to provide technical assistance and training for state entities on the development and implementation of a nutrient management plan and to conduct periodic reviews. The department is authorized to recognize farms that utilize practices designed to protect water quality and soil resources by administering the Clean Water Farm Award Program. Code of Virginia, Title 10.1, Chapter 1, Article 1.
- The department administers education and training certification programs related to the state's erosion and sediment control program. The department approves conservation plans and specifications for all state agencies' projects involving land-disturbing activities. Code of Virginia, Title 10.1, Chapter 5, Article 4.
- The department shall assist the Board of Health in the adoption of regulations related to the land application of sewage sludge. The regulations shall include the requirements for site-specific nutrient management plans, developed by persons certified in accordance with the department, prior to land application for all sites where sewage sludge is land applied. The department must approve certain nutrient management plans prior to permit issuance. Code of Virginia, Title 32.1, Chapter 6, Article 1.
- The department is responsible for approving the nutrient management plans for confined animal feeding operations and with the Department of Environmental Quality may include in the confined animal feeding permit or nutrient management plan more frequent or additional monitoring of waste, soils or ground water as required to protect state waters. The department, in consultation with the Department of Environmental Quality and the Virginia Cooperative Extension Service, is required to develop or approve a training program for persons operating confined animal feeding operations covered by the General Permit. Additionally, by December 31, 2005, the Department of Conservation and Recreation, in consultation with the Department of Environmental Quality, shall complete an examination of current developments in scientific research and technology that shall include a review of land application of poultry waste, soil nutrient retention capacity, and water quality degradation and adopt and implement regulatory or other changes, if any, to its nutrient management plan program that it concludes are appropriate as a result of this examination. Upon the effective date of the Department of Conservation and Recreation's revised regulatory criteria and standards governing phosphorous application rates, or on October 31, 2005, whichever is later, phosphorous application rates for all nutrient management plans developed pursuant to this section shall conform solely to such regulatory criteria and standards adopted by the Department of Conservation and Recreation to protect water quality or to reduce soil concentrations of phosphorous or phosphorous loadings. The application of poultry waste shall be managed to minimize runoff and leaching and reduce adverse water quality impacts

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from phosphorous. Code of Virginia, Title 62.1, Chapter 3.1, Article 3.

- The Secretary of Natural Resources shall develop a plan for the cleanup of the Chesapeake Bay and Virginia's waters designated as impaired by the U.S. Environmental Protection Agency. The plan shall be revised and amended as needed to reflect changes in strategies, timetables, and milestones. Upon the request of the Secretary of Natural Resources, state agencies shall participate in the development of the plan. Code of Virginia, Title 62.1, Chapter 3.7.

- DCR's Virginia Soil and Water Conservation Board is authorized to promulgate regulations for the effective control of soil erosion, sediment deposition and nonagricultural runoff which must be met in local soil erosion and sediment control programs to prevent the unreasonable degradation of properties, stream channels, waters and other natural resources. The board approves programs adopted by the Soil and Water Conservation Districts or by local governing bodies; adopts programs for localities failing to submit proposals; determines appeals from districts' decisions respecting proposed land-disturbing activities; and approves such activities with respect to lands under jurisdiction of more than one local control program. The board is instructed to periodically conduct comprehensive reviews of local erosion and sediment control programs to ensure that they meet minimum standards of effectiveness in controlling soil erosion, sediment deposition, and nonagricultural runoff. The board is required to issue certificates of competence concerning the content, application and intent of specified subject areas of the Erosion and Sediment Control Law and accompanying regulations to personnel of local governments and to responsible land disturbers who have completed training courses or in other ways demonstrated adequate knowledge of such laws and regulations. To address water quality violations, the board may issue stop work orders according to the process outlined in the article. The Board may also issue a special order, after conducting a formal hearing pursuant to the Administrative Process Act, to a locality that has not taken action to correct the manner in which it is administering its erosion and sediment control program. Those localities which have not initiated or implemented an approved corrective action agreement are subject to a civil penalty not to exceed \$5,000 per day with the maximum amount not to exceed \$20,000 per violation. Additionally, each locality is required to report to the Department, in a method and on a time schedule established by the Department, a listing of each land-disturbing activity in the locality for which an Erosion and Sediment Control plan has been approved. Any person engaging in the creation and operation of wetland mitigation banks in multiple jurisdictions, which have been approved and are operated in accordance with applicable federal and state guidance, laws, or regulations for the establishment, use, and operation of mitigation banks, pursuant to a permit issued by the Department of Environmental Quality, the Marine Resources Commission, or the U.S. Army Corps of Engineers, may, at the option of that person, file general erosion and sediment control specifications for wetland mitigation banks annually with the Board for review and approval consistent with guidelines established by the Board. Code of Virginia, Title 10.1, Chapter 5, Article 4.

- Pursuant to the Virginia Stormwater Management Act, and based on the U.S. Environmental Protection Agency's authorization for delegation of program authority to the Virginia Soil and Water Conservation Board, effective January 29, 2005, the department may carryout those powers and duties delegated to it by the Virginia Soil and Water Conservation Board except the adoption and promulgation of regulations. The Department of Conservation and Recreation and the Virginia Soil and Water Conservation Board shall administer the issuance of national pollutant discharge elimination system permits for the control of stormwater discharges from MS4 and construction activities from the U.S. Environmental Protection Agency under the federal Clean Water Act. Powers further delegated to the department from the board may include the authority to issue, deny, revoke, terminate, amend and enforce stormwater permits for the control of stormwater discharges from Municipal Separate Storm Sewer Systems and land disturbing activities; approve and periodically review local stormwater management programs and management programs developed in conjunction with a municipal separate storm sewer permit; enforce the provisions of the Act; and otherwise act to ensure the general health, safety and welfare of the citizens of the Commonwealth as well as protect the

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quality and quantity of state waters from the potential harm of unmanaged stormwater. The department shall provide an annual schedule by which localities can submit applications for delegation. In the absence of the delegation of a stormwater management program to a locality, the department will administer the responsibilities of the Act within the given jurisdiction. The department shall develop a model ordinance for establishing a local stormwater management program consistent with the Act. For state agency projects, the department shall perform random site inspections to assure compliance with the Act, the Erosion and Sediment Control Law, and regulations promulgated thereunder. The department shall have thirty days in which to comment on another state agency's stormwater management plans. Code of Virginia, Title 10.1, Chapter 6, Article 1.1.

- DCR's Virginia Soil and Water Conservation Board is authorized to permit, regulate, and control stormwater runoff in the Commonwealth. In accordance with the Virginia Stormwater Management Act, the board may issue, deny, revoke, terminate, amend and enforce stormwater permits for the control of stormwater discharges from Municipal Separate Storm Sewer Systems and land disturbing activities; adopt regulations; approve and periodically review local stormwater management programs and management programs developed in conjunction with a municipal separate storm sewer permit; enforce the provisions of the Act; and otherwise act to ensure the general health, safety and welfare of the citizens of the Commonwealth as well as protect the quality and quantity of state waters from the potential harm of unmanaged stormwater. The board may also delegate to the department or to an approved locality any of the powers and duties vested in it by the Act except the adoption and promulgation of regulations. Delegation shall not remove from the board authority to enforce the provisions of this article. Code of Virginia, Title 10.1, Chapter 6, Article 1.1.

- The Board of Conservation and Recreation is authorized to allocate grants of state funds to local governments for conserving, protecting, improving, maintaining, and developing public beaches on tidal shorelines and to oversee local implementation of approved projects. The board may establish guidelines governing the application procedures, allocations or implementation standards in accordance with the criteria set forth in the Public Beach Conservation and Development Act. The director provides department staff necessary for the execution of the functions of the board. The Board shall have the authority to promulgate regulations necessary for the execution of Public Beach Conservation and Development Act. Code of Virginia, Title 10.1, Chapter 7, Article 2.

- The Department, in conjunction with other state agencies, shall evaluate and report on the impacts of nonpoint source pollution on water quality and water quality improvement to the Governor and the General Assembly. The Department in cooperation with localities may develop a cooperative program to address identified nonpoint source pollution impairment or degradation, including excess nutrients. The Department of Conservation and Recreation shall be the lead state agency for determining the appropriateness of any grant related to nonpoint source pollution to be made from the Water Quality Improvement Fund to restore, protect and improve the quality of state waters. The Director shall give priority consideration to the distribution of grants from the Fund for the purposes of implementing tributary strategy plans, with a priority given to agricultural practices. Code of Virginia, Title 10.1, Chapter 21.1

- The Director shall provide assistance to the Foundation for Virginia's Natural Resources in developing grant criteria and in providing advice on grant priorities and other appropriate issues. The Foundation for Virginia's Natural Resources is created primarily to assist in developing and to encouraging the nonregulatory conservation programs within the agencies of the Secretariats of Natural Resources and Agriculture and Forestry; and to foster collaboration and partnerships among businesses, communities, and the Commonwealth's environmental enhancement programs. Code of Virginia, Title 10.1, Chapter 21.2.

- Under the Agricultural Stewardship Act, the Virginia Soil and Water Conservation Board shall review

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appeals by persons aggrieved by decisions of the Commissioner of Agriculture and Consumer Services regarding agricultural water pollution complaints. Code of Virginia, Title 10.1, Chapter 5, Article 3.1.

- VIRGINIA SOIL AND WATER CONSERVATION BOARD (4 VAC 50)

§ 4 VAC 50-10. Regulatory Public Participation Procedures, eff. Dec. 30, 1992; amended July 13, 1994 and Sept. 10, 2003.

§ 4 VAC 50-20. Impounding Structure Regulations, eff. Feb. 1, 1989; amended July 1, 2002.

§ 4 VAC 50-30. Erosion and Sediment Control Regulations, eff. Sept. 13, 1990; amended Mar. 22, 1995.

§ 4 VAC 50-50. Erosion and Sediment Control Certification Regulations, eff. Mar. 22, 1995.

§ 4 VAC 50-60. Virginia Stormwater Management Program (VSMP) Permit Regulations, eff. Jan. 1, 2005 or 30 days after the U.S. Environmental Protection Agency's authorization for delegation of program authority is received, whichever is the latter, see 21:3, p. 317 and [Received approval December 30, 2004] eff. Jan. 29, 2005, 21:10, p. 1231.

- DEPARTMENT OF CONSERVATION AND RECREATION (4 VAC 5)

§ 4 VAC 5-10. Regulatory Public Participation Procedures, eff. Dec. 30, 1992; amended June 29, 1994 and Sept. 10, 2003.

§ 4 VAC 5-15. Nutrient Management Training and Certification Regulations, eff. Jan 24, 1996; amended January 11, 2006.

BOARD ON CONSERVATION AND DEVELOPMENT OF PUBLIC BEACHES (4 VAC 50)

§ 4 VAC 45-10. Regulations Governing Application for and use of Grant Funds to Localities, eff. April 12, 1981; rev. July 21, 1982. [Note: Authority for the promulgation of and amendments to these regulations was transferred to the Board of Conservation and Recreation pursuant to Chapters 79 and 89 of the 2003 Virginia Acts of Assembly. This action also eliminated the Board on Conservation and Development of Public Beaches.]

- Federal Clean Water Act Section 319; Title 33 (Navigation and Navigable Waters); Chapter 26 (Water Pollution Prevention and Control); Subchapter III (Standards and Enforcement); Section 1329 (Nonpoint source management programs) of the United States Code (P.L. 100-4)

Service Area Customer Base

Customer(s)	Served	Potential
Agricultural Community	15,000	47,000
Boards and Foundations	5	5
Conservation Organizations and Land Trusts	25	50
Government Agencies (Federal, State, and Local)	450	450
Regulated Community	15,000	46,000
Soil and Water Conservation Districts	47	47
Special Interest Groups	50	100

Anticipated Changes In Service Area Customer Base

With the consolidation of the Commonwealth's stormwater management programs within DCR and the increasing need to improve the water quality within the Chesapeake Bay and Virginia's rivers and streams, DCR will be increasing its customers through both voluntary and regulatory initiatives.

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Service Area Partners

Agricultural Community

Service Area Partners

Boards and Foundations

Service Area Partners

Chesapeake Bay Program (Includes the U.S. Environmental Protection Agency, Maryland, Pennsylvania, and the District of Columbia)

Service Area Partners

Contractual Services

Service Area Partners

Engineers and Consultants

Service Area Partners

Federal Agencies

Environmental Protection Agency; National Oceanic and Atmospheric Administration; National Park Service; Natural Resources Conservation Service; Tennessee Valley Authority; U.S. Forest Service; U.S. Army Corps of Engineers; U.S. Department of Defense; U.S. Department of the Interior; U.S. Fish and Wildlife Service; U.S. Geological Survey

Service Area Partners

Local Governments

Service Area Partners

Non profits

Service Area Partners

Other States

Delaware; Kentucky; New York; North Carolina; Tennessee; West Virginia

Service Area Partners

Regional Planning District Commissions

Service Area Partners

Soil and Water Conservation Districts

Service Area Partners

State Agencies

Virginia Department of Agriculture and Consumer Services; Virginia Department of General Services; Virginia Department of Mines, Minerals and Energy; Virginia Department of Environmental Quality; Virginia Department of Forestry; Virginia Department of Game and Inland Fisheries; Virginia Department of Health; Virginia Department of Transportation; Virginia Institute of Marine Science; Virginia Marine Resources Commission

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Service Area Products and Services

- Financial Assistance
- Regulatory Programs - Information
- Technical Assistance
- Public Education
- Public Information
- Permitting, Regulation, and Enforcement
- Training and certification programs
- Property conservation through easement acquisitions

Factors Impacting Service Area Products and Services

- state funding
- insufficient staffing levels in key program areas
- declining federal grants
- expanding state and/or federal requirements

Anticipated Changes To Service Area Products and Services

- As DCR refines its voluntary and regulatory programs, products and services may expand in an effort to educate and engage the Department's customers and partners in achieving Virginia's water quality goals.

Service Area Human Resources Summary

Service Area Human Resources Overview

Service Area Full-Time Equivalent (FTE) Position Summary

Effective Date:

Total Authorized Position level

Vacant Positions

Non-Classified (Filled).....

Full-Time Classified (Filled)

Part-Time Classified (Filled)

Faculty (Filled)

Wage

Contract Employees

Total Human Resource Level

Factors Impacting Service Area Human Resources

Anticipated Changes in Service Area Human Resources

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Service Area Financial Summary

Included in the \$34 M General Fund Appropriation is \$30.2 M that will be deposited directly into the Water Quality Improvement Fund. These monies are critical to improving the quality of Virginia's waters and the Chesapeake Bay. To achieve our water quality goals the Commonwealth needs to develop a permanent, sufficient, and stable source of funding for nonpoint source water quality improvement programs.

	<u>Fiscal Year 2007</u>		<u>Fiscal Year 2008</u>	
	General Fund	Nongeneral Fund	General Fund	Nongeneral Fund
Base Budget	\$6,841,336	\$10,936,257	\$6,541,336	\$10,536,257
Changes To Base	\$0	\$0	\$0	\$0
SERVICE AREA TOTAL	\$6,841,336	\$10,936,257	\$6,541,336	\$10,536,257

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Service Area Objectives, Measures, and Strategies

Objective 50301.01

Improve and protect water quality, especially in the Chesapeake Bay and the Southern Rivers. (Key)

Controlling nonpoint source pollution from agricultural and urban sources is critical to improving water quality and removing impaired waters in the Chesapeake Bay and the Southern Rivers. In cooperation with the other Chesapeake Bay states and EPA, Virginia agreed to river basin allocations for Virginia Bay tributaries for nutrients and sediments, which will need to be met to achieve Chesapeake Bay restoration goals. These Tributary Strategies, when fully implemented, will make the reductions needed to remove the Chesapeake Bay and Virginia Bay tributaries from the federal list of impaired waters. Implementation of TMDL plans in the Southern Rivers will address those impairments.

This Objective Supports the Following Agency Goals:

- Improve the quality of Virginia's waters and the Chesapeake Bay through non-point source pollution reduction programs and sound land use management.

This Objective Has The Following Measure(s):

- **Measure 50301.01.00**

We will, in conjunction with private and public partners, prevent nitrogen and phosphorus from entering th

Measure Type: Outcome **Measure Frequency:** Annually

Measure Baseline: 441,000 pounds per year in CY 2001 through 2004 average (nitrogen 350,000 pounds and phosphorus 91,000 pounds).

Measure Target: 1,044,000 pounds (nitrogen 734,000 pounds and phosphorus 310,000 pounds).

Measure Source and Calculation:

Currently DCR tracks and reports implementation of nonpoint source best management practices (BMPs) annually to the Environmental Protection Agency - Chesapeake Bay Program Office (CBPO) which calculates the Watershed Model utilizing the updated list of implemented BMPs. DCR is required to report annual progress to the CBPO by July 15 of each year for the previous calendar year with results available in September or October. This same process is used in Maryland and Pennsylvania. From this data the annual progress toward meeting the reduction target for that year is determined. The baseline was established based on average BMP reductions achieved during the five year period, 2000-2004. The annual target was established based on estimated reductions to be achieved with anticipated levels of state water quality improvement funding. Achieving this target will depend upon several factors including those outside of DCR's control such as variations of weather patterns particularly rainfall amounts and intensity as well as the implementation service delivery systems at local and state levels and the levels of voluntary participation. DCR will continue working with CBPO on the next version of the Watershed Model that will cover the entire state of Virginia to include the southern rivers and Atlantic coastal areas. Once developed, the new version may make it possible to estimate and calculate these performance measures statewide.

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- **Measure 50301.01.01**

Pounds of nitrogen prevented from entering the Bay and its tributaries annually.

Measure Type: Outcome **Measure Frequency:** Annually

Measure Baseline: 350,000 lbs. (an average of 2000, 2001, 2002, 2003, and 2004)

Measure Target: 734,000 lbs

Measure Source and Calculation:

Currently DCR tracks and reports implementation of nonpoint source best management practices (BMPs) annually to the Environmental Protection Agency - Chesapeake Bay Program Office (CBPO) which calculates the Watershed Model utilizing the updated list of implemented BMPs. DCR is required to report annual progress to the CBPO by July 15 of each year for the previous calendar year with results available in September or October. This same process is used in Maryland and Pennsylvania. From this data the annual progress toward meeting the reduction target for that year is determined. The baseline was established based on average BMP reductions achieved during the five year period, 2000-2004. The annual target was established based on estimated reductions to be achieved with anticipated levels of state water quality improvement funding. Achieving this target will depend upon several factors including those outside of DCR's control such as variations of weather patterns particularly rainfall amounts and intensity as well as the implementation service delivery systems at local and state levels and the levels of voluntary participation. DCR will continue working with CBPO on the next version of the Watershed Model that will cover the entire state of Virginia to include the southern rivers and Atlantic coastal areas. Once developed, the new version may make it possible to estimate and calculate these performance measures statewide.

- **Measure 50301.01.02**

Pounds of phosphorus prevented from entering the Bay and its tributaries annually.

Measure Type: Outcome **Measure Frequency:** Annually

Measure Baseline: 91,000 lbs (an average of 2000, 2001, 2002, 2003, and 2004)

Measure Target: 310,000 lbs

Measure Source and Calculation:

Currently DCR tracks and reports implementation of nonpoint source best management practices (BMPs) annually to the Environmental Protection Agency - Chesapeake Bay Program Office (CBPO) which calculates the Watershed Model utilizing the updated list of implemented BMPs. DCR is required to report annual progress to the CBPO by July 15 of each year for the previous calendar year with results available in September or October. This same process is used in Maryland and Pennsylvania. From this data the annual progress toward meeting the reduction target for that year is determined. The baseline was established based on average BMP reductions achieved during the five year period, 2000-2004. The annual target was established based on estimated reductions to be achieved with anticipated levels of state water quality improvement funding. Achieving this target will depend upon several factors including those outside of DCR's control such as variations of weather patterns particularly rainfall amounts and intensity as well as the implementation service delivery systems at local and state levels and the levels of voluntary participation. DCR will continue working with CBPO on the next version of the Watershed Model that will cover the entire state of Virginia to include the southern rivers and Atlantic coastal areas. Once developed, the new version may make it possible to estimate and calculate these performance measures statewide.

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- **Measure 50301.01.03**

Tons of sediment prevented from entering the Bay and its tributaries annually.

Measure Type: Outcome **Measure Frequency:** Annually

Measure Baseline: 41,700 tons (an average of 2000, 2001, 2002, 2003, and 2004)

Measure Target: 89,000 tons

Measure Source and Calculation:

Currently DCR tracks and reports implementation of nonpoint source best management practices (BMPs) annually to the Environmental Protection Agency - Chesapeake Bay Program Office (CBPO) which calculates the Watershed Model utilizing the updated list of implemented BMPs. DCR is required to report annual progress to the CBPO by July 15 of each year for the previous calendar year with results available in September or October. This same process is used in Maryland and Pennsylvania. From this data the annual progress toward meeting the reduction target for that year is determined. The baseline was established based on average BMP reductions achieved during the five year period, 2000-2004. The annual target was established based on estimated reductions to be achieved with anticipated levels of state water quality improvement funding. Achieving this target will depend upon several factors including those outside of DCR's control such as variations of weather patterns particularly rainfall amounts and intensity as well as the implementation service delivery systems at local and state levels and the levels of voluntary participation. DCR will continue working with CBPO on the next version of the Watershed Model that will cover the entire state of Virginia to include the southern rivers and Atlantic coastal areas. Once developed, the new version may make it possible to estimate and calculate these performance measures statewide.

- **Measure 50301.01.04**

Number of nonpoint source water quality impairments treated to improve impaired waters.

Measure Type: Outcome **Measure Frequency:** Annually

Measure Baseline: 46

Measure Target: 67

Measure Source and Calculation:

TMDL implementation plans identify specific BMP strategies to correct impairments (e.g. bacteria levels above water quality standards) which are causing waters to be on the impaired waters list. DCR implements these plans using available federal and state funds and tracks the number of plans being implemented, number of impairments being addressed and works with DEQ to determine progress in removing the impairments from the impaired waters list. Progress in this will be dependent upon future funding, staffing and plan development.

Objective 50301.01 Has the Following Strategies:

- Work with the Department of Environmental Quality to address the removal of point and nonpoint source impairments to Virginia's waters.
- Develop and fund strategic water quality initiatives and Cooperative Nonpoint Pollution Control Programs with local governments, Soil and Water Conservation Districts, and other partners to address agricultural/urban/suburban Tributary Strategy best management practices.
- Identify and engage federal, state, and local programs that can assist in implementing the Tributary Strategy best management practices.
- Prioritize stream segment areas to begin organized TMDL implementation clean-up activities relating to nonpoint source pollution.

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- Seek additional funding for TMDL implementation from all sources; federal, state and local.
- Develop local support and capacity for carrying out TMDL implementation plan actions.
- Track progress on TMDL implementation plans and the removal of impaired stream segments.

Objective 50301.02

Increase participation in and compliance with voluntary and regulatory nonpoint programs.

Improving water quality demands more consistent application and compliance with the Department's existing regulatory programs aimed at reducing land use impacts on Virginia's streams, rivers, and the Chesapeake Bay. Many of these programs are administered by local governments with program direction, oversight, and assistance provided by the Department. The Department also has several incentive-based programs that offer financial and technical assistance aimed at accomplishing this objective. Despite past success, it is clear that much greater levels of participation in these programs will be necessary in the future. In addition, more focus is needed on promoting cost-effective implementation practices.

This Objective Supports the Following Agency Goals:

- Improve the quality of Virginia's waters and the Chesapeake Bay through non-point source pollution reduction programs and sound land use management.

This Objective Has The Following Measure(s):

- **Measure 50301.02.01**

Number of acres under nutrient management.

Measure Type: Output **Measure Frequency:** Annually

Measure Baseline: 107,000 acres per year

Measure Target: 110,000 acres per year

Measure Source and Calculation:

DCR maintains a database of plans and planned acreage that is updated annually. The database includes nutrient management plans both mandated by law and voluntarily developed. This measure addresses the total acreage of nutrient management plans developed. A query will be made to determine the acreage covered by nutrient management plans developed each fiscal year. This will include both those plans written by DCR staff and those developed by certified nutrient management planners that are not employed by DCR.

- **Measure 50301.02.02**

Number of local erosion and sediment control programs reviewed annually deemed fully compliant.

Measure Type: Output **Measure Frequency:** Annually

Measure Baseline: 17

Measure Target: 25

Measure Source and Calculation:

As of May 2006, 72 of 165 local erosion and sediment control programs have been reviewed. Seventeen of those programs reviewed have been deemed fully compliant with all State requirements. An additional 32 programs are expected to be reviewed in FY07. Based upon past reviews, 8 programs are expected to be initially deemed fully compliant. Compliance requires the locality to receive a score of 70 or better in each of five program categories. Additionally, through addressing corrective action agreement conditions, localities previously reviewed may move from noncompliant or provisionally compliant to fully compliant.

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- **Measure 50301.02.03**

Number of stormwater permits issued for construction activities annually.

Measure Type: Output

Measure Frequency: Annually

Measure Baseline: 1,100

Measure Target: 2,100

Measure Source and Calculation:

DCR maintains a database of all issued general permits and is developing a reporting system with local governments to identify those local land-disturbing activities requiring coverage by the construction permit. Comparison of these two sources will define the percentage of permits issued. Results will compile the number of permits issued annually. Future targets will be based on a combination of state and local government reporting systems that will identify those local land-disturbing activities requiring coverage by the construction permit. Increasing the number of permits will reduce the amount of sediment and nutrients in stormwater runoff entering Virginia's waters from construction sites. Since taking over the program, DCR is working towards doubling the number of permits issued on an annual basis.

Objective 50301.02 Has the Following Strategies:

- Develop outreach program, in concert with local Soil and Water Conservation District and the farm community, to target farmers for adoption of Tributary Strategy priority best management practices.
- Develop the "Proposed 5-year Cycle Program Review List" that includes all 165 local erosion control programs being reviewed over a 5-year period.
- Develop the recommendation for the annual local erosion control program review schedule using management criteria (complaints, disturbed acres, programs, size, etc.)
- Develop locality land disturbance reporting system.
- Seek Virginia Soil and Water Conservation Board approval of annual local erosion control program review list by August 1st of each year.
- Evaluate multi-year nutrient management plan contracting program options to increase plan writing and improve on farmer implementation of plans.
- Provide financial incentives to landowners to develop and implement nutrient management plans.
- Provide technical assistance to landowners to develop and implement nutrient management plans.
- Share related county-level tributary strategies targets with local governments and Soil and Water Conservation Districts.
- Develop strategic actions/grants funded by the Water Quality Improvement Fund to support implementation of local tributary stream strategies.
- Target cost-effective agricultural BMPs for state financial support through DCR's Agricultural BMP Cost-Share Program.